

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49813 of 2023

Arising Out of PS. Case No.-90 Year-2023 Thana- JAMOBABAZAR District- Siwan

Sandeep Kumar Giri, Son of Tuntun Giri, Resident of village - Jamo Mathiya,
P.S. - Jamo Bazar, Distt. - Siwan

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 09-08-2023 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection
with Jamo Bazar P.S. Case No.90 of 2023 registered for the
offences punishable under Sections 399, 402 of the Indian Penal
Code section 25(1-B)a, 26 and 35 of the Arms Act.

3. The accused/petitioner is named in the FIR and is
in custody since 29.05.2023.

4. Allegation against the petitioner is to have in
possession of one country-made pistol.

5. It is submitted by learned counsel that as per
seizure list, recovery of alleged firearm not appears to be made
from conscious physical possession of this petitioner, where
seizure list also appears doubtful being not supported by
independent witnesses rather by police personnel. While



concluding argument, it is submitted that the petitioner is a man of clean antecedent and moreover investigation of this case is completed for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer for grant of bail to the petitioner.

7. In view of above-mentioned facts and circumstances and by taking note of nature of allegation, where petitioner is a man of clean antecedent, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 29.05.2023, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Siwan in connection with Jamo Bazar P.S. Case No.90 of 2023, subject to the conditions as laid down under Section 437(3) of the CrPC.

(Chandra Shekhar Jha, J.)

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